

AMENDED IN ASSEMBLY JUNE 22, 2005

AMENDED IN SENATE MAY 10, 2005

SENATE BILL

No. 197

Introduced by Senator Cox
(Coauthor: Assembly Member Leslie)

February 10, 2005

An act to amend Section 115842 of the Health and Safety Code, relating to reservoirs, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 197, as amended, Cox. Sly Park Reservoir.

Existing law prohibits the recreational use of reservoirs where water is stored for domestic use to include recreation in which there is bodily contact with the water by a participant. Existing law exempts certain reservoirs from this prohibition and sets forth conditions and restrictions to ensure water purity. Existing law exempts Sly Park Reservoir from this prohibition if certain conditions are met; ~~including, but not limited to, the requirement that commencing June 30, 2005, the water receive ongoing treatment.~~ *Among those conditions is the requirement that the water receive ongoing treatment by June 30, 2005, including, but not limited to, an advanced technology treatment.*

This bill would, ~~commencing January 1, 2006, delay the requirement that the water receive ongoing treatment until January 1, 2007~~ *remove the requirement that the ongoing water treatment commence on or before June 30, 2005, and instead require the water treatment to commence before the reservoir may be used for recreational activity in which there is bodily contact with the water. The bill would also remove the advanced technology treatment*

requirement and instead require a treatment that complies with a specified federal standard.

Existing law requires that the recreational use of the reservoir be subject to additional conditions and restrictions adopted by the entity operating the reservoir that are designed to further protect public health.

This bill would, instead, make the reservoir subject to additional conditions and restrictions adopted by the entity or the State Department of Health Services that are necessary to further protect public health.

Existing law requires the El Dorado Irrigation District to file a report with the department on the recreational uses and water treatment program at the Sly Park Reservoir.

This bill would require the department to prescribe the degree of treatment necessary to abate any increased hazards in the Sly Park Reservoir resulting from body contact recreation based on information provided in the El Dorado Irrigation District report.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~
yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 115842 of the Health and Safety Code
2 is amended to read:
3 115842. (a) Recreational activity in which there is bodily
4 contact with the water by any participant is allowed in the Sly
5 Park Reservoir provided that all of the following conditions are
6 satisfied:
7 ~~(1) Commencing on or before January 1, 2007, the water shall~~
8 ~~receive ongoing complete water treatment, including coagulation,~~
9 ~~flocculation, sedimentation, filtration, and disinfection, or an~~
10 ~~alternative filtration system that provides an equivalent degree of~~
11 ~~pathogen removal in compliance with all applicable department~~
12 ~~regulations before being used for domestic purposes. The~~
13 ~~disinfection shall include, but is not limited to, an advanced~~
14 ~~technology capable of inactivating organisms including virus,~~
15 ~~cryptosporidium, and giardia, to levels that comply with~~
16 ~~department regulations.~~

1 (1) The water shall receive complete water treatment,
2 including coagulation, flocculation, sedimentation, filtration, and
3 disinfection; or alternative treatment that complies with all
4 applicable department regulations and requirements. Such
5 treatment shall, at a minimum, comply with all state laws and
6 department regulations and all federal laws and regulations,
7 including, but not limited to, the federal Environmental
8 Protection Agency Long-Term 2 Enhanced Surface Water
9 Treatment regulations. Nothing in this division shall limit the
10 state or the department from imposing more stringent treatment
11 standards than those required by federal law.

12 (2) The El Dorado Irrigation District conducts a monitoring
13 program for E. coli, bacteria and giardia, and cryptosporidium
14 organisms at various reservoir locations and at a frequency
15 determined by the department.

16 (3) The reservoir is operated in compliance with regulations of
17 the department.

18 (b) The recreational use of that reservoir shall be subject to
19 additional conditions and restrictions adopted by the entity
20 operating the water supply reservoir, or by the department, that
21 are required to further protect or enhance the public health and
22 safety and do not conflict with regulations of the department.

23 (c) The El Dorado Irrigation District shall file, on or before
24 January 1, 2005, with the department, a report on the recreational
25 uses at Sly Park Reservoir and the water treatment program for
26 that reservoir. That report shall include, but is not limited to,
27 providing all of the following information:

28 (1) The estimated levels and types of recreational uses at the
29 reservoir on a monthly basis.

30 (2) A summary of available monitoring in Sly Park Reservoir
31 watershed for giardia and cryptosporidium.

32 (3) The sanitary survey of the watershed and water quality
33 monitoring plan.

34 (4) An evaluation ~~of~~, as prescribed by the department, to
35 determine the impact on source water quality due to recreational
36 activities on Sly Park Reservoir, including any microbiological
37 monitoring.

38 (5) The reservoir management plan and the operations plan.

39 (6) The annual water reports submitted to the consumers each
40 year.

1 *(d) The department shall prescribe the degree of treatment*
2 *including, but not limited to, treatment processes necessary to*
3 *abate any increased hazards resulting from body contact*
4 *recreation based on information provided in the report filed*
5 *pursuant to subdivision (c).*

6 *SEC. 2. This act is an urgency statute necessary for the*
7 *immediate preservation of the public peace, health, or safety*
8 *within the meaning of Article IV of the Constitution and shall go*
9 *into immediate effect. The facts constituting the necessity are:*

10 *In order to enact a necessary change in the statutes governing*
11 *the Sly Park Reservoir and the El Dorado Irrigation District, it is*
12 *necessary that this act take effect immediately.*